

**DECLARATION AND POWER
OF ATTORNEY FOR UTILITY
OR DESIGN**

PATENT APPLICATION

☐ Declaration ☒ Declaration
Submitted with Submitted after Initial
Initial Filing Filing (surcharge
37 CFR 1.16(e) required)

Attorney Docket No. 23558-007US
First Named Inventor Stephen John Kent

COMPLETE IF KNOWN

Application Serial Number 10/560,069
Filing Date December 9, 2005
Group Art Unit To Be Assigned
Examiner Name To Be Assigned

As a below named inventor, I hereby declare that:

My (our) residence, mailing address, and citizenship are as stated below next to my name. I (we) believe I (we) am (are) the original, first and solo inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**IMMUNOMODULATING COMPOSITIONS, USES THEREFOR AND PROCESSES FOR THEIR
PRODUCTION**

the specification of which:

☐ is attached hereto;
OR

☒ was filed on 12/05/2005 as United States Application Serial Number or PCT International
Application Number 10/560,069 and was amended on (MM/DD/YYYY) 12/05/2005 (if applicable).

I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above. I (we) acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or Patent Cooperation Treaty (PCT) or international filing date of the continuation-in-part application.

For Assigned or Obligated to be Assigned Inventions: By executing this Power of Attorney, I (am)/(we are) allowing PROSKAUER ROSE LLP (the Firm) to prosecute the above-referenced patent application and to prosecute any matters that arise before the Patent Office during the enforceable life of the above-identified application, any patent that issues from this application and any future applications and/or patents, in any country, that claim priority to the above-identified application/patent. Although the Power states that I (am)/(we are) appointing the Firm with "power of attorney" for the sole purpose of prosecuting the matters arising before the Patent Office in connection with the patent and patent application, that appointment is understood solely in light of my (our) nominal interest in the application/ patent. I/we understand that, despite the use of the phrase "power of attorney," the executed power of attorney does not create any attorney-client relationship between me/us and the Firm, or between the Firm and any other person. The assignee in law or in fact will remain the Firm's sole client with respect to the application and/or patent. Accordingly, the firm understands, and my/our signature on the Power confirms, that the Firm has no attorney-client relationship with Assignor/inventor, or with me/us personally.

I (we) hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), 172 or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any Patent Cooperation Treaty (PCT) or international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT or international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/AU2004/000775	WIPO	06/10/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AU2004901589	Australia	03/25/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AU2003902875	Australia	06/10/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I (we) hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.

DECLARATION – Utility or Design Patent Application

I (we) hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any Patent Cooperation Treaty or international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or Patent Cooperation Treaty or International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or Patent Cooperation Treaty or international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/AU2004/000775	06/10/2004	
AU2004901589	03/25/2004	
AU2003902875	06/10/2003	

☐ Additional U.S. or Patent Cooperation Treaty or international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I (we) hereby appoint(s) the practitioners associated with:

Customer Number: 61263

as attorney(s) and/or agent(s) to prosecute and transact all business in the U.S. Patent and Trademark Office in connection therewith. Customer Number 61263 is assigned to Proskauer Rose LLP, 1001 Pennsylvania Avenue, N.W., Suite 400 South, Washington, DC. 20004.

As a named inventor, I (we) hereby grant additional Power of Attorney to the attorney(s) and/or agent(s) named below to file and prosecute foreign national applications in any and all countries of the world, regional patent applications under the European Patent Convention and/or international applications under the Patent Cooperation Treaty based upon the patent application identified above, including power to meet all designated office requirements for designated states.

Name	Reg. No.	Name	Reg. No.
David W. Iaub	Reg. No. 38,708	Steven M. Bauer	Reg. No.: 31,481
David Baltazar	Reg. No.: 53,964	Tiffany A. Levato	Reg. No.: 50,160
John Isacson	Reg. No.: 33,715	Robert S. Mayer	Reg. No.: 38,544
Paul Booth	Reg. No.: 40,244	Joseph M. Maraja	Reg. No.: 55,926
Colin Sandercock	Reg. No.: 31,298	Silvana M. Merlino	Reg. No.: 44,237
Joseph A. Capraro, Jr.	Reg. No.: 36,471	David G. Miranda	Reg. No.: 42,898
Mark A. Catan	Reg. No.: 38,720	Kristen H. Neuman	Reg. No.: 35,530
Steven W. Allis	Reg. No.: 50,532	Jeremy P. Oczek	Reg. No.: 50,794
Breda Donovan	Reg. No.: 52,828	Kenneth Rubenstein	Reg. No.: 30,586
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Sandra A. Brockman-Lee	Reg. No.: 44,045	Scott K. Witonsky	Reg. No.: 56,471
		Todd R. Samelman	Reg. No.: 53,547

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.


Direct all correspondence to:

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CUSTOMER NO 61263

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Stephen John				Kent			
Inventor's Signature					Date		13 March 2007
Residence	City	Camberwell	State	Victoria	Country	AU	Citizenship
Mailing Address		9 St. Johns Avenue					
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		Australia					
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.							
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature					Date		
Residence	City		State		Country		Citizenship
Mailing Address							
Mailing Address (ln. 2)	City		State		ZIP		Country
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.							
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature					Date		
Residence	City		State		Country		Citizenship
Mailing Address							
Mailing Address (ln. 2)	City		State		ZIP		Country